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STIPULATION AND [PROPOSED] ORDER TO CONTINUE THE DATE OF THE CASE MANAGEMENT CONFERENCE Case No. CV 06 03988 JF

STIPULATION 2 WHEREAS, the next Case Management Conference ("CMC") in this matter has been scheduled for Friday, July 18, 2008; 3 WHEREAS, Defendant Kyphon filed a motion for protective order, wherein it objected to the scope of Plaintiffs' discovery requests; 5 WHEREAS, Magistrate Judge Lloyd heard argument in Defendant's Motion for 6 Protective Order on Tuesday, June 17, 2008; 7 WHEREAS, the parties are still awaiting Judge Lloyd's ruling on Defendant's 8 Motion for Protective Order; 9 WHEREAS, discovery cannot proceed until Judge Lloyd issues his ruling; 10 WHEREAS, Local Rule 16-2 (e) permits parties to seek relief from the Court's Case Management Schedule by stipulating to change the date of any CMC; 11 12 WHEREAS, on Monday, July 14, 2008, counsel for Plaintiffs contacted the Court's courtroom clerk, Diana Munz, who has temporarily rescheduled the CMC for Friday, 13 September 19 2008; 14 WHEREAS, counsel for both parties have scheduling conflicts that will prevent them from appearing in this case that day; . THEREFORE, the parties, through their counsel of record, hereby STIPULATE to reschedule the next CMC, currently set for Friday, July 18, 2008, to Friday, September 26, 2008. IT IS SO STIPULATED. SANFORD, WITTELS & HEISLER, LLP LAW OFFICES OF GRANT E. MORRIS LITTON & GEONETTA, LLP Dated: July 16, 2008 Attorneys for Plaintiffs

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 Dated: July 16, 2008

SEVERSON & WERSON

Rhonda L. Nelson

Attorneys for Defendant

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA SAN JOSE DIVISION

SAN JUS	DE DIVISION
SAFRONIA DODD-OWENS, NATALIE AMAYA, TERA BYRER, TIFFANY) Case No. CV 06 03988 - JF
SOCHA, TERI CARR, ELIZABETH "LISA" GLUS and CHRISTY WRONIKOWSKI	(PROPOSED) ORDER CONTINUING DATE OF CASE MANAGEMENT CONFERENCE
Individually and on Behalf of All Others Similarly Situated,)) Complaint Date: November 13, 2007
PLAINTIFFS,) Trial Date: None Assigned)
v.	
KYPHON INC., DEFENDANT.)

ORDER

Upon consideration of the foregoing, the CMC will be rescheduled for Friday, September 26, 2008.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: _7/24/08 _

 Te Honorable Jeremy Fogel United States Listrict Judge

STIPULATION AND [PROPOSED] ORDER TO CONTINUE THE DATE OF THE CASE MANAGEMENT CONFERENCE

Case No. CV 06 03988 JF